The Dermatans was alleged to be misbranded in that the statement "Arsenic Sulph. * * * 1-60 gr.," borne on the bottle label, was false and misleading since it represented that each tablet contained 1/60 grain of arsenic sulfide; whereas the tablets contained more arsenic sulfide than the amount represented, namely, not less than 0.020 grain, i. e., 1/50 grain of arsenic sulfide.

The Pulvis Effervescens Sodii Phosphatis Compound was alleged to be misbranded in that statements in the labeling regarding its therapeutic and curative effects falsely and fraudulently represented that it was effective as a treatment for rheumatism, gout, uric acid, jaundice, dizziness, biliousness, uric acid conditions, nausea from various causes, and affections of the stomach, liver, and kidneys; effective to stimulate the intestinal secretions necessary to a healthy digestion and to regulate the liver, kidneys, and bowels; effective as a stomach and liver salt and effective as an anti-lithic, anti-rheumatic, and alterative; effective as of therapeutic value wherever a uric acid solvent, hepatic, stimulant, toxaemic, eliminant, or gastric sedative is required; and effective to improve the constitution. It was alleged to be misbranded further in that the statement "Pulvis Effervescens Sodii Phosphatis Comp." borne on the bottles and cartons, was false and misleading in that it represented that the article consisted of sodii phosphas effervescens, a product recognized in the U. S. Pharmacopoeia, whereas it did not consist of sodii phosphas effervescens since it contained not more than 16.4 percent of exsiccated sodium phosphate; whereas the pharmacopoeia requires that sodii phosphas effervescens contain not less than 20 percent of exsiccated sodium phosphate and said article contained magnesium sulfate and sodium sulfate, ingredients not present in sodii phosphas effervescens as described in the pharmacopoeia. It was alleged to be misbranded further in that the statement "Containing * * * Lithia" borne on the bottle label was misleading since it created the impression that the article contained lithium in an amount sufficient to be of therapeutic importance, whereas it contained but a trace of lithium.

The Pancreatone was alleged to be misbranded in that statements on the bottle label regarding its curative and therapeutic effects falsely and fraudulently represented that it was effective as a treatment for diabetes mellitus and all diseases of pancreatic origin. It was alleged to be misbranded further in that the statement "Pancreatone" borne on the bottle label was false and misleading since it represented that the article consisted solely of material derived from pancreas; whereas it did not consist solely of material derived from pancreas, but did contain other ingredients, namely, compounds of arsenic, manganese, strychnine, and plant material including gentian.

The Meth-O-Sol Liniment was alleged to be misbranded in that statements on the label regarding its curative and therapeutic effects falsely and fraudulently represented that it was effective as a treatment for neuritis, rheumatism, pleurisy, lumbago, backache, sciatica, and other conditions in which there is pain.

The Calcigol With Iodine was alleged to be adulterated in that its strength fell below the professed standard and quality under which it was sold in that each of the tablets was represented to contain $\frac{1}{20}$ grain of iodine; whereas the tablets contained not more than 0.031 grain, namely, $\frac{1}{32}$ grain of iodine. It was alleged to be misbranded in that the statement "Iodine $\frac{1}{20}$ gr.," borne on the label, was false and misleading. It was alleged to be misbranded further in that statements on the bottle label regarding its curative and therapeutic effects falsely and fraudulently represented that it was effective as a treatment for croup, tonsillitis, and bronchitis.

The V. E. T. Skin Remedy was also alleged to be misbranded in violation of the Insecticide Act of 1910, as reported in notices of judgment published under that act.

On December 8, 1939, pleas of nolo contendere were entered by the defendants. On January 5, 1940, the court imposed a fine of $250 for violation of both acts, the fine to be apportioned equally among the three defendants.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30991. Misbranding of Neutro-Plasm. U. S. v. Joseph D. Wiener, Dr. Victor R. Marburger, and Charles G. Lane (Neutro-Plasm Foundation). Pleas of nolo contendere. Fine, $400. (F. & D. No. 40832. Sample No. 34257–C.)

The labeling on this product bore false and fraudulent representations regarding its curative and therapeutic effectiveness and false and misleading representations regarding its constituents.

On May 23, 1938, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed an in-

formation against Joseph D. Wiener, Dr. Victor R. Marburger, and Charles G. Lane, copartners trading as the Neutro-Plasm Foundation, Detroit, Mich., alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about May 29, 1937, from the State of Michigan into the State of Illinois, of a quantity of Neutro-Plasm which was misbranded.

Analysis showed that the article consisted essentially of extracts of plant drugs including a bitter drug, a laxative drug, alcohol, and water.

Misbranding was alleged in that the statements, (circular) "Neutro-Plasm Saprophyte in Amara Media" and "A non-toxic saprophyte," and (bottle) "Neutro-Plasm," were false and misleading in that the said statements represented that the article contained viable saprophytes, namely, organisms that live upon dead organic material and that it was a protoplasmic substance; whereas it did not contain viable saprophytes since it was sterile and it was not a protoplasmic substance. It was alleged to be misbranded further in that statements in the labeling regarding its curative and therapeutic effects falsely and fraudulently represented that it was effective to attack and destroy dead or abnormal tissue or organisms; effective in preventing bacterial invasion and in neutralizing toxic accumulations; effective to inhibit the development of abnormal cellular structure or degeneration by aiding in the restoration of normal function; effective to check the development or spread of various forms of carcinoma, sarcoma, and epithelioma, and to correct such condition and restore the patient to a normal condition; and effective as a treatment for open ulceration.

On January 19, 1940, pleas of nolo contendere having been entered, the court imposed a fine of $400 on the firm.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30992. Adulteration and misbranding of Ointment Belladonna, Ointment Ophthalmic Holocaine and Epinephrine, and Ointment Ophthalmic Argenoid. U. S. v. The National Drug Co. Plea of nolo contendere. Fine, $150. (F. & D. No. 42759. Sample Nos. 28873–D, 53272–D, 53277–D.)

The Ointment Belladonna contained a smaller amount of the alkaloids of belladonna leaf than that required by the U. S. Pharmacopoeia; the Ointment Ophthalmic Holocaine and Epinephrine contained less phenacaine hydrochloride than indicated by the labeling; and the Ointment Ophthalmic Argenoid contained a smaller percentage of silver than that indicated in the labeling.

On October 18, 1939, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the National Drug Co., a corporation, Philadelphia, Pa., alleging shipment by said company in violation of the Food and Drugs Act on or about October 15 and 26 and November 8, 1938, from the State of Pennsylvania into the States of South Carolina and Missouri, of quantities of the above-named drugs that were adulterated and misbranded.

The Ointment Belladonna was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia but differed from the standard of strength, quality, and purity as determined by the tests laid down therein since it contained not more than 0.082 percent of the alkaloids of belladonna leaf; whereas the pharmacopoeia provides that belladonna ointment shall yield not less than 0.118 percent of the alkaloids of belladonna leaf and the standard of strength, quality, and purity of the article was not declared on its container. It was alleged to be adulterated further in that its strength fell below the professed standard and quality under which it was sold since it was represented to contain 10 percent of pilular extract of belladonna; whereas it contained not more than 8.2 percent of pilular extract of belladonna. It was alleged to be misbranded in that the statement on the label "Ointment Belladonna U. S. P. XI" was false and misleading since the article did not conform to the standard laid down in the United States Pharmacopoeia eleventh revision.

The Ointment Ophthalmic Holocaine and Epinephrine was alleged to be adulterated in that its strength fell below the professed standard and quality under which it was sold in that it was labeled "Holocaine (1½ per cent)," which label represented that the article contained 1.5 percent of phenacaine hydrochloride (Holocaine is a trade name for the chemical product phenacaine hydrochloride), whereas the article contained not more than 1.05 percent of phenacaine hydrochloride. It was alleged to be misbranded in that the statement "Holocaine (1½ per cent)" was false and misleading since "Holocaine" is a